# The Significance of the Nuremberg Code

## How did the Nuremberg Trials impact medicine and what influences can still be seen in modern day medicine?

First written in the 4th Century, the Hippocratic Oath was the first document dictating a set of principals for physicians to adhere by in their practice of medicine.(1) It outlined the need to care for the patients and avoid inflicting any pain upon them where possible. The Hippocratic Oath acted as the foundation for ethical medicine to be practised but was largely ignored in the Nazi experimentation conducted in World War II.

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At the conclusion of World War II and the Nuremberg Trials, the Nuremberg Code was published in 1947 in light of the Nazi experimentation that occurred in many concentration camps.(2) Heavily based on the Guidelines for Human Experimentation published in 1931, the Nuremberg Code outlined a set of principles emphasising voluntary participants and responsible investigators in conducting medical studies. The code was primarily written by American physician, Andrew Ivy.(3)

**Andrew Ivy** (andrewivy.GIF (288×384)[Internet]. [cited 2017 Oct 29]. Available from: https://news.cornell.edu/sites/chronicle.cornell/files/Nuremberg.GIF

Ivy was a scientist who had also conducted research requiring the use of human subjects, and called upon the need for animal models to be used in experiments before humans.(4) He was heavily involved in writing the aspects of the Nuremberg Code that detailed the requirement of animal use and claimed to write the majority of the Nuremberg Code itself. As such, the ten rules outlined within the Nuremberg Code primarily called upon a need for voluntary participation in medical studies, which was an aspect that was disregarded in Nazi experimentation.

The experimentation performed by the Nazis included but was not limited to sterilisation, freezing, battle-wound simulation and exploring tuberculosis through injections. All of these experiments were inflicted upon Prisoners of War and the Jewish population held in the Concentration Camps. As such, the Nazis did not ask for any consent from the subjects and many were subject to torture, pain and death in the experiments. The Nuremberg Code rectified this because it eradicated the possibility of subjecting non-consenting subjects to any pain that may be inflicted as a result of human experimentation.

Following the publishing of the Nuremberg Code concern was expressed over the new directives governing future medical practice. There was much deliberation regarding the balance between the ethics of human experimentation and the advancement of medical knowledge.(5) In foreign nations such as the United States, the Code was known about but there was no immediate active implementation of the Code because it was believed the types of human experiments practiced in the United States were not "morally troubling".(6) The media portrayal of the Nuremberg Code also painted the Nazi Doctors in very low light distinguishing them from other general physicians around the world. This formed a hierarchy between Nazi Doctors and other physicians, and subsequently did not allow the Nuremberg Code to be fully applied around the world because the Nazi Doctors were believed to be inferior and "barbaric" unlike the "ordinary physician".(6) The ten codes primarily focused on the welfare of the patient and largely limited the types of experiments that could be conducted upon human subjects. A general concern upon the Code's release was regarding the advancement of medical science and whether this would be hindered by the new restrictions.(4) Regardless, the code still allowed for risky experimentation to be performed. This is because it placed a large amount of responsibility on the patient themselves and required their voluntary withdrawal from the study based on their own interpretation of their mental and physical wellbeing and of the experiment itself.(2)

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As the Nuremberg Code was not legally binding, it was initially ignored and experiments continued as per the rules that dictated medical experimentation prior to the Nuremberg Medical Trials.(2) However, it was not until around twenty years after the Code's publishing that aspects of this document began to be considered in medical trials.(2) This was due to the introduction of the Declaration of Helsinki.

**Signing of the Declaration of Helsinki in 1964** [Internet]. [Cited 2017 Oct 28]. Available

from https://hopitalmontfort.com/sites/default/files/Images/helsinki.jpg

Following a conference in Helsinki, Finland in 1964, the Declaration of Helsinki was adopted in medical trials worldwide. It was written by the World Medical Association (WMA). This new document, provided a more detailed set of regulations to abide by in medical studies and drew heavily upon the Nuremberg Code itself. It has since elaborated upon the original ten codes outlined in the Nuremberg Code in its many revisions over the years.

In the modern day, the Declaration of Helsinki has had a profound impact on the way medical experimentations are conducted and acts as a set of rules to follow. It has been consistently reviewed at many of the WMA General Assembly conferences to accommodate changes in medical advancement techniques.(7) The Declaration of Helsinki acts as a legislation for new medical trials. Unlike the Nuremberg Code, the Declaration of Helsinki has become much more comprehensive. It not only focuses on the participant's experience in the medical study, but also directly addresses the physician and what is expected of their role in the course of medical research. Although the Declaration of Helsinki is not legally binding itself, it is closely tied to the different legislations of different countries so any violation of the Declaration is also likely to result in the breaking of ethical laws put in place.

That being said, the Nuremberg Code and Declaration of Helsinki still share some similarities regarding the conduction of human experiments. Both documents require the use of animal experimentation prior to the commencement of human experimentation.(4) As mentioned previously, although both documents are not legally binding when viewed independently, they both possess persuasive capability in a legal setting and would be able to justify against any unethical medical crimes.(4) It is with these documents that allowed for a patient centred approach to be developed for modern day medicine through models such as the 'Bio-Psycho-Social' model.

Overall, both documents prioritise the protection of human rights and try to prevent experiments such as those conducted by the Nazi Doctors from re-occurring. They provide the basis for highly ethical medicine practised in the modern day and focus on maintaining the patient's wellbeing.

**References:**

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